

NOV 12 2004

RCE LTR



PTO/SB/30 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request****For  
Continued Examination (RCE)  
Transmittal**

Address to:  
MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/975,127
Filing Date	October 10, 2001
First Named Inventor	Eitan T. Wiener
Art Unit	3731
Examiner Name	B. C. Pantuck
Attorney Docket Number	02640/100G820-US1

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. (Amendment filed October 4, 2004 in response to the Final Office Action dated June 10, 2004)

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)

ii.  Affidavit(s)/Declaration(s)      iv.  Other      Certificate of Express Mailing;  
Return Postcard \_\_\_\_\_

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.

i.  RCE fee required under 37 CFR 1.17(e)

ii.  Extension of time fee (37 CFR 1.136 and 1.17)

iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \$ 790.00 enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	November 10, 2004
Name (Print/Type)	Louis J. DelJuidice	Registration No.	47,522

Express Mail Label No. \_\_\_\_\_ Dated: \_\_\_\_\_

00000155 09975127  
790.00 OP  
11/12/2004 CNNGUYEN  
01 FC:1801



Application No. (if known): 09/975,127

Attorney Docket No.: 02640/100G820-US1

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV367710019US in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on November 10, 2004  
Date

A. Stantini

Signature

A. Stantini  
Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)  
Request for Continued Examination Transmittal (1 page)  
Certificate of Express Mailing (1 page)  
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PATENT & TRADEMARK OFFICE

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 790.00)**Complete if Known**

Application Number	09/975,127
Filing Date	October 10, 2001
First Named Inventor	Eitan T. Wiener
Examiner Name	B. C. Pantuck
Art Unit	3731
Attorney Docket No.	02640/100G820-US1

**METHOD OF PAYMENT (check all that apply)**
 Check     Credit Card     Money Order     Other     None
**Deposit Account:**

Deposit Account Number **04-0100**  
 Deposit Account Name **Darby & Darby P.C.**

**The Director is authorized to: (check all that apply)**

Charge fee(s) indicated below     Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet.
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	430	2252	215 Extension for reply within second month
1253	980	2253	490 Extension for reply within third month
1254	1,530	2254	765 Extension for reply within fourth month
1255	2,080	2255	1,040 Extension for reply within fifth month
1401	340	2401	170 Notice of Appeal
1402	340	2402	170 Filing a brief in support of an appeal
1403	300	2403	150 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive - unavoidable
1453	1,370	2453	685 Petition to revive - unintentional
1501	1,370	2501	685 Utility issue fee (or reissue)
1502	490	2502	245 Design issue fee
1503	660	2503	330 Plant issue fee
1460	130	1460	130 Petitions to the Commissioner
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	790	2809	395 Filing a submission after final rejection (37 CFR 1.129(a))
1810	790	2810	395 For each additional invention to be examined (37 CFR 1.129(b))
1801	790	2801	395 Request for Continued Examination (RCE) 790.00
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify)			
SUBTOTAL (2) (\$ 0.00)		SUBTOTAL (3) (\$ 790.00)	

\*\*or number previously paid, if greater; For Reissues, see above

\*Reduced by Basic Filing Fee Paid

SUBMITTED BY		(Complete if applicable)		
Name (Print/Type)	Louis J. DelJuidice	Registration No. (Attorney/Agent)	47,522	Telephone (212) 527-7791
Signature		Date	November 10, 2004	

Express Mail Label No.

Dated: \_\_\_\_\_